

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHAYA GROSSBAUM and MENACHEM)	
GROSSBAUM, individually and as)	
guardians ad litem of ROSIE GROSSBAUM,)	
) Hon. Garrett E. Brown, Jr.
Plaintiffs,)	
) Civil Action No. 07-1359 (GEB)
v.)	
)
GENESIS GENETICS INSTITUTE, LLC, MARK)	<u>ORDER</u>
R. HUGHES, NEW YORK UNIVERSITY)	
SCHOOL OF MEDICINE and NEW YORK)	
UNIVERSITY HOSPITALS CENTER,)	
ABC CORPS. 1-10, JOHN DOES 1-10,)	
)
Defendants.)	
)

This matter having come before the Court upon the *Daubert* motion and motion for summary judgment (Doc. No. 109, 111) filed by Defendants Genesis Genetics Institute, LLC, and Dr. Mark R. Hughes (collectively “Genesis Defendants”); and the motion for summary judgment (Doc. No. 108) filed by New York University Hospitals Center and New York University School of Medicine (collectively “NYU Defendants”); as well as multiple motions to strike (Doc. Nos. 122, 124, 129); and this Court having considered the parties’ motions and decided the matter without oral argument pursuant to Federal Rule of Civil Procedure 78; and for the reasons stated in the accompanying Memorandum Opinion;

IT IS THIS 9th day of June, 2011,

ORDERED that the Genesis Defendants’ motion for summary judgment (Doc. No. 109) is GRANTED, such that JUDGMENT is entered in favor of Genesis Defendants and against

Plaintiffs on all counts of Plaintiffs' Complaint; and it is further
ORDERED that Genesis Defendants' *Daubert* motion (Doc. No. 111) is DENIED as
MOOT.

The Court will permit supplemental briefing on NYU Defendants' summary judgment
motion (Doc. No. 108). Accordingly, it is further

ORDERED that Plaintiffs will have until 20 days after the filing of this Order to file a
supplemental brief, not to exceed 10 pages, addressing only NYU Defendants' reply brief
arguments that Plaintiffs' claims fail under New York's statute of limitations and for lack of
causation; and it is further

ORDERED that NYU Defendants may file a sur-reply to Plaintiffs' new arguments, not
to exceed 5 pages, no later than 10 days after receipt of Plaintiffs' supplemental brief.

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR. U.S.D.J.